

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

ROBERT W. CLOUGH, II., individually and on behalf of all persons and entities similarly situated,	)	Case No. 1:17-cv-00411-PB
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
REVENUE FRONTIER, LLC, SUPREME DATA CONNECTIONS, LLC and WILLIAM ADOMANIS,	)	
	)	
Defendants.	)	

**DECLARATION OF ERIC NORDSKOG RE: NOTICE PROCEDURES**

I, Eric Nordskog, declare as follows:

1. I am a Project Manager of A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data”), whose Corporate Office is located in Milwaukee, Wisconsin. A.B. Data was appointed as the Settlement Administrator in this matter and is not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

**CAFA Notification**

2. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, A.B. Data compiled a CD-ROM containing the following documents: Class Action Complaint, First Amended Class Action Complaint, Second Amended Class Action Complaint, Revised Second Amended Class Action Complaint, Class Action Settlement Agreement and Release, Claim Form, Proposed Final Approval Order, Proposed Final Judgment Order, Mail Notice, Long Form Notice, Proposed Preliminary Approval Order, Approximate Class Breakdown by State, and a cover letter (collectively, the “CAFA Notice Packet”). A copy of the cover letter is attached hereto as Exhibit A.

3. On March 9, 2020, A.B. Data caused sixty-one (61) CAFA Notice Packets to be mailed via Priority Mail from the U.S. Post Office in Milwaukee, Wisconsin to the persons listed in Exhibit B, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and the District of Columbia, and the Attorneys General of the U.S. Territories.

#### **Class List**

4. On or around March 2, 2020, A.B. Data received an electronic data file from Defendant's Counsel containing 18,938 lines of non-deduped data, which included phone numbers of potential Settlement Class Members (the "Class List").

5. A.B. Data facilitated, through a third-party information provider, reverse directory searches of the 18,938 telephone numbers on the Class List, which provided names and addresses for 16,977 records. A.B. Data then created a list of the 16,977 unique names and mailing addresses of Class Members (the "Mailing List").

6. A.B. Data then processed the Mailing List through the United States Postal Service's (USPS) National Change of Address Database ("NCOA") to standardize the format of the addresses and to update the mailing addresses with any moves registered with the USPS.

#### **Mailed Notice**

7. On May 11, 2020, A.B. Data caused the Court-approved mailed Settlement Notice ("Mail Notice") to be printed and mailed to the 16,977 names and mailing addresses on the Mailing List. A true and correct copy of the Mail Notice is attached hereto as Exhibit C.

8. Since sending the Mail Notices to the Settlement Class Members, A.B. Data has received 2,161 Mail Notices returned by the USPS with undeliverable addresses. Through credit-bureau and/or other public-source databases, A.B. Data performed address searches for these undeliverable Mail Notices and was able to find updated addresses for 1,076 Settlement Class Members. Following the remailing of Mail Notices, 161 were returned once again as undeliverable.

9. Altogether, individual notice was successfully sent to 15,731 Settlement Class Members (in excess of 83%) without a returned notice being received. There are 3,207 Settlement Class Members (less than 17%) for whom new mailing addresses have not been found.

### **Case Website**

10. On or around May 11, 2020, A.B. Data established a website, [www.TaxDebtTextTcpa.com](http://www.TaxDebtTextTcpa.com), dedicated to this matter to provide information to the Settlement Class Members and to answer frequently asked questions. The website URL was set forth in the Mail Notice and Claim Form. Visitors to the website could submit claims online and download copies of the Long Form Notice, the Claim Form, and other case-related documents.

### **Toll-Free Telephone Number**

11. On or around May 11, 2020, A.B. Data established a toll-free telephone number dedicated to answering telephone inquiries from Settlement Class Members. To date, A.B. Data has received and/or returned a total of 229 calls.

### **Claim Forms**

12. Claim Forms were only required to be submitted by Settlement Class Members whose names were not on the Class List and thus were not mailed a Notice. The deadline for Settlement Class Members to submit a Claim Form was August 10, 2020. To date, A.B. Data has received a total of 33 claims. These 33 Claim Forms submitted are not eligible for a Cash Award, as 6 of the claims were unnecessarily submitted by Settlement Class Members on the Class List who were successfully mailed a Notice, and the other 27 claims did not include a phone number that matched a phone number on the Class List.

### **Requests for Exclusion from Class**

13. The deadline for Settlement Class Members to request to be excluded from the Class was August 10, 2020. To date, A.B. Data has not received any requests for exclusion.

### **Objections to the Settlement**

14. The deadline for Settlement Class Members to object to the Settlement was August 10, 2020. To date, A.B. Data has not received any objections to the Settlement.

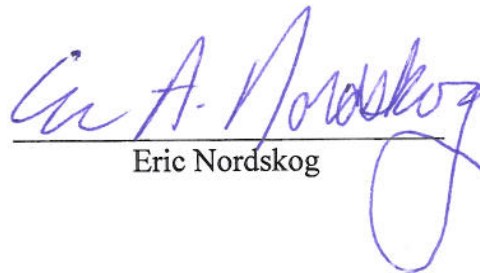
### **Fund Distribution**

15. A.B. Data has preliminarily calculated the payment amount for each eligible Settlement Class Member. These calculations are based on the assumptions that the gross Settlement amount is \$2,100,000.00 and from that amount, deductions are made for (a) attorneys'

fees (\$700,000.00); (b) attorneys' costs (\$50,894.49); (c) named plaintiff award (\$25,000.00); and (d) administration costs (\$83,000.00). The remaining amount (\$1,241,105.51) (the "Net Settlement Fund") will be distributed on a *pro rata* basis to eligible Settlement Class Members, each of whom is estimated to receive a payment of \$78.88.

I declare under penalty of perjury under the laws of the State of Wisconsin that the foregoing is true and correct.

Executed this 13th day of August 2020 at Milwaukee, Wisconsin.

  
Eric Nordskog

# EXHIBIT A



March 9, 2020

via USPS Priority Mail

**Re: *Robert W. Clough, II., et al. v. Revenue Frontier, LLC, et al.*, No. 1:17-cv-00411-PB  
(D. N.H.)  
28 U.S.C. § 1715(b) Notification**

Dear Sir or Madam:

Settlement Administrator A.B. Data, Ltd., on behalf of the Defendant in the above-referenced action (the “Action”), provides the notice as specified in the Class Action Fairness Act of 2005, 28 U.S.C. § 1715(b).

The Action is pending before U.S. District Court Judge Paul Barbadoro in the United States District Court for the District of New Hampshire. On February 28, 2020, counsel for the Plaintiff filed a motion for preliminary approval of a Class Action Settlement Agreement (the “Settlement Agreement”). The Court has not yet preliminarily approved the Settlement Agreement or set a hearing date for final approval of the Settlement Agreement.

Please find enclosed a CD containing certain documents and information in “.pdf” format, as required by the Class Action Fairness Act. These include the following enclosures:

1. The Class Action Complaint, filed on September 13, 2017;
2. The First Amended Class Action Complaint, filed on December 1, 2017;
3. The Second Amended Class Action Complaint, filed on December 27, 2018;
4. The Revised Second Amended Class Action Complaint, filed on January 9, 2019;
5. The Settlement Agreement, executed on February 28, 2020;
6. The Claim Form, Exhibit 1 of the Settlement Agreement;
7. The (Proposed) Final Approval Order, Exhibit 2 of the Settlement Agreement;
8. The (Proposed) Final Judgment Order, Exhibit 3 of the Settlement Agreement;
9. The Postcard Notice, Exhibit 4 of the Settlement Agreement;
10. The (Proposed) Preliminary Approval Order, Exhibit 5 of the Settlement Agreement;
11. The Long Form Notice, Exhibit 6 of the Settlement Agreement; and

Also included on the CD is a list containing the estimated number of class members residing in each state and the estimated proportionate share of the claims by state to the entire Settlement.

There are no contemporaneous agreements between Class Counsel and Defendant’s Counsel in conjunction with the proposed Settlement other than the enclosed Settlement Agreement.

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At this time, there has been no final judgment or notice of dismissal, and there are no written judicial opinions relating to the Settlement Agreement.

The foregoing information is provided based upon what is currently available to date and the status of the proceedings at the time of the submission of this notice.

Sincerely,

A.B. Data, Ltd.

Settlement Administrator on behalf of Defendant



# EXHIBIT B



Office	Name	Street Address 1	Street Address 2	City	State	Zip
United States Attorney General	William Barr	US Department of Justice	950 Pennsylvania Ave, NW	Washington	DC	20530-0001
Office of the Alabama Attorney General	Steve Marshall	501 Washington Avenue		Montgomery	AL	36130
Office of the Alaska Attorney General	Kevin Clarkson	PO Box 110300	Diamond Courthouse	Juneau	AK	99811-0300
Office of the American Samoa Attorney General	Talauega Eleasalo V. Ale	American Samoa Gov't, Exec. Ofc. Bldg	Utulei, Territory of American Samoa	Pago Pago	AS	96799
Office of the Arizona Attorney General	Mark Brnovich	2005 N CENTRAL AVE		Phoenix	AZ	85004-1592
Office of the Arkansas Attorney General	Leslie Rutledge	323 Center St.	Ste. 200	Little Rock	AR	72201-2610
Office of the California Attorney General	Xavier Becerra	1300 I St.	Ste. 1740	Sacramento	CA	95814
Office of the Colorado Attorney General	Phil Weiser	Ralph Carr Colorado Judicial Center	1300 Broadway, 10th Floor	Denver	CO	80203
Office of the Connecticut Attorney General	William Tong	55 Elm St.		Hartford	CT	06141-0120
Office of the Delaware Attorney General	Kathy Jennings	Carvel State Office Bldg.	820 N. French St.	Wilmington	DE	19801
Office of the District of Columbia Attorney General	Karl A. Racine	441 4th Street, NW	Ste. 1100S	Washington	DC	20001
Office of the Florida Attorney General	Ashley Moody	The Capitol	PL 01	Tallahassee	FL	32399-1050
Office of the Georgia Attorney General	Chris Carr	40 Capitol Square, SW		Atlanta	GA	30334-1300
Office of the Guam Attorney General	Leevin T. Camacho	ITC Building	590 S Marine Corps Dr. Ste. 706	Tamuning	Guam	96913
Office of the Hawaii Attorney General	Claire E. Connors	425 Queen St		Honolulu	HI	96813
Office of the Idaho Attorney General	Lawrence Wasden	Statehouse	Boise	Boise	ID	83720-1000
Office of the Illinois Attorney General	Kwame Raoul	James R. Thompson Ctr.	100 W. Randolph St.	Chicago	IL	60601
Office of the Indiana Attorney General	Curtis T. Hill, Jr.	Indiana Government Center South - 5th Floor	302 W. Washington St.	Indianapolis	IN	46204
Office of the Iowa Attorney General	Tom Miller	Hoover State Office Bldg.	1305 E. Walnut	Des Moines	IA	50319
Office of the Kansas Attorney General	Derek Schmidt	120 S.W. 10th Ave	2nd Fl	Topeka	KS	66612-1597
Office of the Kentucky Attorney General	Andy Beshear	700 Capitol Avenue	Capitol Building, Ste. 118	Frankfort	KY	40601
Office of the Louisiana Attorney General	Jeff Landry	PO Box 94095		Baton Rouge	LA	70804-4095
Office of the Maine Attorney General	Aaron Frey	State House Station 6		Augusta	ME	04333
Office of the Maryland Attorney General	Brian Frosh	200 St. Paul Place		Baltimore	MD	21202-2202
Office of the Massachusetts Attorney General	Maura Healey	1 Ashburton Place		Boston	MA	02108-1698
Office of the Michigan Attorney General	Dana Nessel	PO Box 30212	525 W Ottawa St.	Lansing	MI	48909-0212
Office of the Minnesota Attorney General	Keith Ellison	State Capitol	Ste. 102	St. Paul	MN	55155
Office of the Mississippi Attorney General	Jim Hood	Department of Justice	PO Box 220	Jackson	MS	39205
Office of the Missouri Attorney General	Eric Schmitt	Supreme Ct. Bldg	207 W. High St.	Jefferson City	MO	65101
Office of the Montana Attorney General	Tim Fox	Justice Bldg.	215 N. Sanders	Helena	MT	59620-1401
Office of the Nebraska Attorney General	Doug Peterson	State Capitol	PO Box 98920	Lincoln	NE	68509-8920
Office of the Nevada Attorney General	Aaron Ford	Old Supreme Ct. Bldg.	100 N. Carson St	Carson City	NV	89701
Office of the New Hampshire Attorney General	Gordon MacDonald	33 Capitol St.		Concord	NH	03301-6397
Office of the New Jersey Attorney General	Gurbir S. Grewal	Richard J. Hughes Justice Complex	25 Market St.	Trenton	NJ	08625
Office of the New Mexico Attorney General	Hector Balderas	PO Drawer 1508		Santa Fe	NM	87504-1508
Office of the New York Attorney General	Letitia A. James	Dept. of Law - The Capitol	2nd fl.	Albany	NY	12224
Office of the North Carolina Attorney General	Josh Stein	Dept. of Justice	PO Box 629	Raleigh	NC	27602-0629
Office of the North Dakota Attorney General	Wayne Stenehjem	State Capitol	600 E. Boulevard Ave.	Bismark	ND	58505
Office of the Northern Mariana Islands (Acting) Attorney General	Edward Manibusan	Administration Building	PO Box 10007	Saipan	MP	96950
Office of the Ohio Attorney General	Dave Yost	State Office Tower	30 E. Broad St.	Columbus	OH	43266-0410
Office of the Oklahoma Attorney General	Mike Hunter	313 NE 21st Street		Oklahoma City	OK	73105
Office of the Oregon Attorney General	Eileen F. Rosenblum	Justice Bldg	1162 Court St.	Salem	OR	97301
Office of the Pennsylvania Attorney General	Josh Shapiro	1600 Strawberry Square		Harrisburg	PA	17120
Office of the Puerto Rico Attorney General	Dennise Longo Quinones	PO Box 902192		San Juan	PR	00902-0192
Office of the Rhode Island Attorney General	Peter Neronha	150 S. Main St.		Providence	RI	02903
Office of the South Carolina Attorney General	Alan Wilson	Rembert C. Dennis Office Bldg	PO Box 11549	Columbia	SC	29211-1549
Office of the South Dakota Attorney General	Jason Ravnsborg	1302 East Highway 14	Suite 1	Pierre	SD	57501-8501
Office of the Tennessee Attorney General	Herbert H. Slatery III	425 5th Ave. North		Nashville	TN	37243
Office of the Texas Attorney General	Ken Paxton	Capitol Station	PO Box 12548	Austin	TX	78711-2548
Office of the Utah Attorney General	Sean Reyes	350 North State Street	Suite 230	Salt Lake City	UT	84114
Office of the Vermont Attorney General	TJ Donovan	109 State St.		Montpelier	VT	05609-1001
Office of the Virgin Islands Attorney General	Denise George-Counts	Dept. of Justice	G.E.R.S. Complex 488-50C Kronprinsd	St. Thomas	VI	00802
Office of the Virginia Attorney General	Mark Herring	900 East Main Street		Richmond	VA	23219
Office of the Washington Attorney General	Bob Ferguson	1125 Washington Street SE	PO Box 40100	Olympia	WA	98504-0100
Office of the West Virginia Attorney General	Patrick Morrissey	State Capitol	1900 Kanawha Blvd. E	Charleston	WV	25305
Office of the Wisconsin Attorney General	Josh Kaul	State Capitol, Rm 114 East	PO Box 7857	Madison	WI	53707-7857
Office of the Wyoming Attorney General	Bridget Hill	State Capitol Bldg.		Cheyenne	WY	82002
Yap State Office of the Attorney General	Jonathan M. Tun	PO Box 435		Colonia	Yap, FSM	96943
Office of the Chuuk Attorney General	Sabino Asor	PO Box 1050		Weno	Chuuck, FM	96942
Office of the Kosrae Attorney General	Jeffrey S. Tilfas	PO Box 870		Tofol	Kosrae, FSM	96944
Office of the Pohnpei Attorney General	Dana Wesley Smith	PO Box PS-105		Pohnpie	FSM	96941

# EXHIBIT C

First-Class  
Mail  
US Postage  
Paid  
Permit #\_\_

**LEGAL NOTICE**

***Robert W. Clough, II v. Revenue Frontier, LLC, et al.,***  
**No. 1:17-cv-00411-PB (D. NH)**

A class action settlement has been proposed in this lawsuit pending in the U.S. District Court for the District of New Hampshire ("Court").

This case claims that Supreme Data Connections, LLC and its principal, William Adomanis, violated the Telephone Consumer Protection Act by causing text messages to be sent to cell phones advertising tax relief services using an automatic telephone dialing system, and that Revenue Frontier is vicariously liable for the calls. Defendants deny they did anything wrong.

Who Is Included? If you received this notice, records in the case indicate that you are a member of the Settlement Class, which includes: "(1) All persons in the United States who are the users or subscribers of the approximately 18,937 cellular telephones identified in Anya Verkhovskaya's report, [the expert witness retained by plaintiff] (2) to which cellular telephone numbers a text message was sent (3) using the SDC Messaging Application, employing the Sendroid software (4) within four years of the filing of the complaint."

Please do not call the Judge or the Clerk of the Court.  
They cannot give you advice on your options.

**PLEASE READ THIS NOTICE**

[NoticeID Barcode]

Postal Service: Please do not mark barcode

NoticeID #####

«First1» «Last1»

«CO»

«Addr2»

«Addr1»

«City», «St» «Zip»

«Country»

**Summary of the Settlement:** Revenue Frontier and W4, LLC have agreed to establish a Settlement Fund of \$2,100,000 to pay Class Members (including certain members who make valid and timely claims); pay any incentive award to the class representative, Mr. Clough; pay attorneys' fees and costs; and pay settlement notice and administration costs. The Court has preliminarily approved this Settlement. Plaintiff will request up to \$25,000 as an incentive award, and up to \$700,000 in attorneys' fees, plus costs of \$50,894.49. Any remaining monies from uncashed settlement checks may be redistributed or paid to the National Consumer Law Center or other non-profit organization. This is a summary notice only; additional details can be found at [www.TaxDebtTextTCPA.com](http://www.TaxDebtTextTCPA.com) or by calling 1-877-829-4146.

**Can I Get Money from the Settlement?** Yes, if you received this notice by postal mail, you do not need to do anything to receive a *pro rata* cash award, the amount of which depends on how many people make approved claims. Class Members who received texts on more than one cell phone may submit one claim per cell number. Class Counsel estimate that the amount of the cash award may be about \$50 to \$60. If you did not receive this notice by postal mail, then you need to complete a claim form available at [www.TaxDebtTextTCPA.com](http://www.TaxDebtTextTCPA.com) so that the class action administrator can determine whether you are eligible to receive a cash payment.

**Do I Have a Lawyer?** Yes. The Court appointed attorneys with Phillips Law Office, PLLC, Broderick Law, P.C., The Law Office of Matthew P. McCue, and CW Law Group, P.C. as Class Counsel. The lawyers will be paid from the Settlement Fund. You may enter an appearance in the case through your own attorney if you so desire.

**What Should I Do?** Class Members have three options: **(1) Do Nothing** If you received this notice via mail, you are automatically entitled to a share of the Settlement Fund and a check will be mailed to you by the Settlement Administrator. If the Settlement is approved, you will not have the right to sue separately for damages of \$500 per text, or \$1,500 per text made willfully. **(2) Remain a Class Member but object** to the Settlement. Instructions for objecting are available at [www.TaxDebtTextTCPA.com](http://www.TaxDebtTextTCPA.com). Objections and supporting documents must be sent to Class Counsel and Defense Counsel and filed with the Court by August 10, 2020. You may pay for and be represented by a lawyer who may send the objection for you. **(3) Exclude yourself** from the Settlement Class by mailing a request to the Settlement Administrator (not the Court). You must state in writing your name, address, the cell number at which Supreme Data or Mr. Adomanis texted you, and that you want to be excluded from this Settlement. Exclusions must be signed and postmarked no later than August 10, 2020.

**Scheduled Hearing:** The judge scheduled a hearing for September 9, 2020, at 2:00 p.m., in Courtroom 4 of the U.S. District Court, District of New Hampshire, 55 Pleasant St., Concord, NH 03301, regarding whether to give final approval to the Settlement, including the amounts of any attorneys' fees, costs, and Class Representative award. The hearing may be changed without notice. **It is not necessary for you to appear at this hearing, but you may attend at your own expense.**

**For more information:** Visit: [www.TaxDebtTextTCPA.com](http://www.TaxDebtTextTCPA.com); Call: 1-877-829-4146; or write to: Tax Relief Text TCPA Settlement, Settlement Administrator, c/o A.B. Data, Ltd., P.O. Box 173026, Milwaukee, WI 53217.